

PATENT

REMARKSDISCUSSION OF SPECIFICATION

The following reference numbers have been inserted in the specification to correct typographical informalities:

- on page 5, line 16, --12-- has been inserted between "ring" and "and";
- on page 5, line 16, --15-- has been inserted between "pin" and "are";
- on page 5, line 30, --20-- has been inserted between "coil" and "is";
- on page 5, line 31, --17-- has been inserted between "conductor" and "by";
- on page 5, line 31, --17-- has been inserted between "conductor" and ".";
- on page 6, line 1, --20-- has been inserted between "coil" and "is";
- on page 6, line 1, --17-- has been inserted between "conductor" and "."; and
- on page 6, line 2, --20-- has been inserted between "coil" and "has".
- on page 7, line 4, "32" has been replaced with --20--.

Applicants respectfully request acceptance of the amended specification because no substantive new matter has been added.

DISCUSSION OF CLAIMS

In the Office Action, claims 1-6 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Number 6,285,910 to Verness et al.

In the Office Action, claims 7-23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In the Office Action, claims 24-31 are allowed over the prior art of record.

In response thereto, claims 32-38 have been withdrawn, claims 1, 7-9, 11, and 15 have been amended, and claim 39 has been added. Accordingly, claims 1-31 and 39 are now pending. Following is a discussion of the patentability of each of the pending claims.

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Preliminary Matter

During a telephone conversation with Derrick Reed on July 22, 2003, a provisional election was made to prosecute the invention of Group I, claims 1-31. Affirmation of this election is made by the Applicants. Claims 32-38 are withdrawn from further consideration by the Examiner as being drawn to a non-elected invention.

Independent Claim 1

Claim 1 recites an electrical lead comprising an electrically conductive coupling establishing electrical contact between a distal portion of a transitional coil and a proximal portion of a wire conductor.

Verness et al. discloses an implantable lead having the capability of continued function after fracture of a conductor. The lead is provided with a coiled conductor which extends along the length of the lead. In addition to the coiled conductor, the lead is provided with a stranded conductor which is electrically coupled to the coiled conductor at a point along the lead body located proximal to the point of expected breakage of the coiled conductor and at a point along the lead body located distal to the point of expected breakage.

Verness et al. does not disclose or suggest an electrical lead comprising an electrically conductive coupling establishing electrical contact between the distal portion of the transitional coil and the proximal portion of the wire conductor. In Verness et al., a first conductive coupling connects the distal portion of the stranded conductor to the distal portion of the coiled conductor, and a second conductive coupling connects the proximal portion of the stranded conductor to the proximal portion of the coiled conductor (see Figures 18 and 19). With such a configuration, electrical continuity of the lead is maintained if the coiled conductor fails. Verness et al. teaches away from what is recited in claim 1 of the present application because electrical redundancy is not possible if the conductive coupling establishes electrical contact between the distal portion of the coiled conductor and the proximal portion of the stranded conductor.

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Accordingly, it is respectfully submitted claim 1 is in condition for allowance.

Dependent Claims 2-6 and 39

Claims 2-6 and 39 depend from claim 1 and are similarly patentable. Accordingly, it is respectfully submitted that these claims are in condition for allowance.

Independent Claim 7

In the Office Action, claim 7 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, claim 7 has been rewritten in independent form including all of the limitations of base claim 1 and intervening claim 6. It is respectfully submitted that amended claim 7 is in condition for allowance.

Independent Claim 8

In the Office Action, claim 8 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, claim 8 has been rewritten in independent form including all of the limitations of base claim 1 and intervening claim 6. It is respectfully submitted that amended claim 8 is in condition for allowance.

Independent Claim 9

In the Office Action, claim 9 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, claim 9 has been rewritten in independent form including all of the limitations of base claim 1. It is respectfully submitted that amended claim 9 is in condition for allowance.

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Dependent Claim 10

Claim 10 depends from claim 19 and is similarly patentable. Accordingly, it is respectfully submitted that claim 10 is in condition for allowance.

Independent Claim 11

In the Office Action, claim 11 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, claim 11 has been rewritten in independent form including all of the limitations of base claim 1. It is respectfully submitted that amended claim 11 is in condition for allowance.

Dependent Claims 12-14

Claims 12-14 depend from claim 11 and are similarly patentable. Accordingly, it is respectfully submitted that these claims are in condition for allowance.

Independent Claim 15

In the Office Action, claim 15 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, claim 15 has been rewritten in independent form including all of the limitations of base claim 1 and intervening claim 9. It is respectfully submitted that amended claim 15 is in condition for allowance.

Dependent Claims 16-23

Claims 16-23 depend from claim 15 and are similarly patentable. Accordingly, it is respectfully submitted that these claims are in condition for allowance.

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Independent Claim 24 and Dependent Claims 25-31

Claims 24-31 are allowed over the prior art of record.

CONCLUSION

In light of the above claim amendments and remarks, it is respectfully submitted that the application is in condition for allowance, and an early notice of allowance is requested.

Respectfully submitted,

9/4/03

Date

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